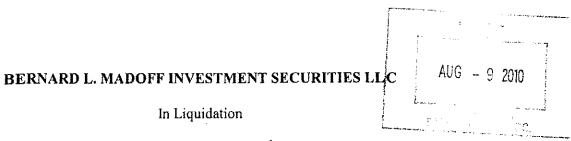
# **EXHIBIT A**



### DECEMBER 11, 2008<sup>1</sup>

### NOTICE OF TRUSTEE'S DETERMINATION OF CLAIM

August 3, 2010

Benjamin Paul Chasalow Transferee Trust #1 c/o Andrew Sherman Sills Cummis & Gross One Riverfront Plaza Newark, NJ 07102

Dear Benjamin Paul Chasalow Transferee Trust #1:

#### PLEASE READ THIS NOTICE CAREFULLY.

The liquidation of the business of BERNARD L. MADOFF INVESTMENT SECURITIES LLC ("BLMIS") is being conducted by Irving H. Picard, Trustee under the Securities Investor Protection Act, 15 U.S.C. § 78aaa et seq. ("SIPA"), pursuant to an order entered on December 15, 2008 by the United States District Court for the Southern District of New York.

The Trustee has made the following determination regarding your claim on BLMIS Account No. 1C1307 designated as Claim Number 013842:

Your claim for a credit balance of \$51,576,821.60 and for securities is **DENIED**. No securities were ever purchased for your account.

<sup>&</sup>lt;sup>1</sup> Section 78/II(7)(B) of SIPA states that the filing date is "the date on which an application for a protective decree is filed under 78eee(a)(3)," except where the debtor is the subject of a proceeding pending before a United States court "in which a receiver, trustee, or liquidator for such debtor has been appointed and such proceeding was commenced before the date on which such application was filed, the term 'filing date' means the date on which such proceeding was commenced." Section 78/II(7)(B). Thus, even though the Application for a protective decree was filed on December 15, 2008, the Filing Date in this action is on December 11, 2008.

Further, based on the Trustee's analysis, the amount of money you withdrew from your account at BLMIS (total of \$5,925,998.29), as more fully set forth in Table 1 annexed hereto and made a part hereof, is greater than the amount that was deposited with BLMIS for the purchase of securities (total of \$0.00). As noted, no securities were ever purchased by BLMIS for your account. Any and all profits reported to you by BLMIS on account statements were fictitious.

As reflected in Table 1, certain of the transfers into or out of your account have been adjusted. As part of the Trustee's analysis of accounts, the Trustee has assessed accounts based on a money in/money out analysis (i.e., has the investor deposited more or less than he or she withdrew from BLMIS). This analysis allows the Trustee to determine which part of an account's balance is originally invested principal and which part is fictitious gains that were fabricated by BLMIS. A customer's allowed claim is based on the amount of principal in the customer's account.

Whenever a customer requested a transfer from one account to another, the Trustee analyzed whether the transferor account had principal in the account at the time of the transfer. The available principal in the account was transferred to and credited in the transferee account. Thus, the reason that the adjusted amount of transferred deposits or withdrawals in Table 1 is less than the purported transfer amount is that the transferor account did not have sufficient principal available to effectuate the full transfer. The difference between the purported transfer amount and the adjusted transfer amount is the amount of fictitious gain that was transferred to or from your account. Under the money in/money out analysis, the Trustee does not give credit for fictitious gains in settling your allowed claim.

Since there were no profits to use either to purchase securities or to pay you any money beyond the amount that was deposited into your BLMIS account, the amount of money you received in excess of the deposits in your account (\$5,925,998.29) was taken from other customers and given to you. Accordingly, because you have withdrawn more than was deposited into your account, you do not have a positive "net equity" in your account and you are not entitled to an allowed claim in the BLMIS liquidation proceeding. Therefore, your claim is **DENIED** in its entirety.

On March 1, 2010, the United States Bankruptcy Court for the Southern District of New York (Lifland, J.) issued a decision which affirmed the Trustee's Net Investment Method for determining customer claims. The final resolution of this issue is expected to be determined on appeal.

Should a final and unappealable court order determine that the Trustee is incorrect in his interpretation of "net equity" and its corresponding application to the determination of customer claims, the Trustee will be bound by that order and will apply it retroactively to all previously determined customer claims in accordance with the Court's order. Nothing in this Notice of Trustee's Determination of Claim shall be construed as a waiver of any rights or claims held by you in having your customer claim re-determined in accordance with any such Court order.

Nothing in this Notice of Trustee's Determination of Claim shall be construed as a waiver of any rights or claims held by the Trustee against you.

PLEASE TAKE NOTICE: If you disagree with this determination and desire a hearing before Bankruptcy Judge Burton R. Lifland, you <u>MUST</u> file your written opposition, setting forth the grounds for your disagreement, referencing Bankruptcy Case No. 08-1789 (BRL) and attaching copies of any documents in support of your position, with the United States Bankruptcy Court and the Trustee within THIRTY DAYS after August 3, 2010, the date on which the Trustee mailed this notice.

PLEASE TAKE FURTHER NOTICE: If you do not properly and timely file a written opposition, the Trustee's determination with respect to your claim will be deemed confirmed by the Court and binding on you.

PLEASE TAKE FURTHER NOTICE: If you properly and timely file a written opposition, a hearing date for this controversy will be obtained by the Trustee and you will be notified of that hearing date. Your failure to appear personally or through counsel at such hearing will result in the Trustee's determination with respect to your claim being confirmed by the Court and binding on you.

PLEASE TAKE FURTHER NOTICE: You must mail your opposition, if any, in accordance with the above procedure, to each of the following addresses:

Clerk of the United States Bankruptcy Court for the Southern District of New York One Bowling Green New York, New York 10004

and

Irving H. Picard, Trustee c/o Baker & Hostetler LLP 45 Rockefeller Plaza

New York, New York 10111

ving H. Picard

Trustee for the Liquidation of the Business of Bernard L. Madoff Investment Securities LLC

DATE	TRANSACTION DESCRIPTION	AMOUNT	ADJUSTED AMOUNT
9/28/2001	TRANS FROM 1C102130	\$30,873.67	\$0.00
9/28/2001	TRANS FROM 1C102130	\$3,097,597.92	\$0.00
10/1/2001	TRANS FROM 1C102130	\$3,178.77	\$0.00
10/1/2001	TRANS FR 1C102130 A/O 9/28/01	\$698.11	\$0.00
11/1/2001	TRANS FROM 1C102130	\$522.04	\$0.00
Total Deposits:		\$3,132,870.51	\$0.00
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DATE	TRANSACTION DESCRIPTION	AMOUNT	ADJUSTED AMOUNT
9/4/2001	TRANS FROM 1C102130	(\$1,829,269.01)	\$0.00
10/1/2001	TRANS TO 1C102130	(\$728.27)	\$0.00
4/8/2003	CHECK	(\$1,099,711.00)	(\$1,099,711.00)
3/29/2004	CHECK	(\$72,928.00)	(\$72,928.00)
3/28/2005	CHECK	(\$854,023.00)	(\$854,023.00)
4/11/2006	CHECK	(\$1,255,802.00)	(\$1,255,802.00)
4/5/2007	CHECK	(\$2,087,269.00)	(\$2,087,269.00)
3/31/2008	CHECK	(\$556,265.29)	(\$556,265.29)
Total		(\$7,755,995.57)	(\$5,925,998.29)
Withdrawals:	J.		
Total deposits less withdrawals:		(\$4,623,125.06)	(\$5,925,998.29)

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## **EXHIBIT B**

AMOUNT CREDITOR TO YOUN A CCOUNT CREDITOR ACCOUNT CREDITOR ACCOUNT ACC 372,96000 0 2**9**38-1 Filed **9**8/31/14 and B Pg 7 Entered 08/31/10 18:54:34 of 11 Exhibit A Madoff Securities International Limited 12 Berkeley Street Mayfair, London W1J 8DT Tel 920 7493 6222 PAGE 1 YOUN TAX PAYER JOENTHICATION NUMBER \*\*\*\*\*\*8258 5,710,515.75 348,813,50 AMOUNT DEBITED TO YOUR ACCOUNT 11/30/08 不以所以都所官衛 1-01307-3-0 PRICE OR SYMBOL 99-747 46-620 DELV 199-66 CASH MERGER U.S. TREASURY BILL DUE 5/44/2009 FIDELITY SPARIAN U.S. TREASURY MONEY MURKEF DIV 11/20/08 U S TREASURY BILL DUE TILZEO/OB TILZEO/OB U S TREASURY MONEY MARKET U S TREASURY BILL New York, NY 10022 (212) 230-2424 800 334-1343 Fax (212) 838-4061 BIDGEN IDEC INC ANHEUSER BUSCH COS INC 885 Third Avenue 5/21/2009 5/14/2009 DESCRIPTION U. S. FREASURY, BILL. BUE, AT/ZOV/08, CONTINUED ON PAGE FIDELITY SPARTAN BALANCE FORMARD CASH MERGER REDEEMED REDEEMED 78197 77056 Z 8,000 1,667 5.675.000 47,031 PLEASE RETAIN THIS STATEMENT FOR INCOME TAX PURPOSES BENJAMIN PAUL CHASALOW TRANSFEREE #1 BERNARD L. MADOFF INVESTMENT SECURITIES LLC SOLD DELIVERED OR New York 

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Doc 2938-1 2 M MANAGER AMOUNT CREDITION AMOUNT CREDITION ACCOUNT ACCOUNT Filed 08/31/10 Entered 08/31/10 18:54:34 and B Pg 8 of 11 Exhibit A 12 Berkeley Street Mayfair, London W1J 8DT Tel 020 7493 6222 Madoff Securities International Limited YOUR TAX PAVER DRIVINGATION NUMBER \*\*\*\*\* 115,440.00 38,699-00 AMOUNT DEBITED TO YOUR ACCOUNT 11/30/08 \* XOUR ACCOUNT HUNBER 1-C1307-3-0 PEABODY ENERGY CORP FIDELITY SPARTAN U.S. TREASURY BILL 99-992 PRICE OR SYMBOL る大村の大阪流 MKT PRICE 29-600 15.620 7.500 NEW BALANCE J.P. MORGAN CHASE 6. CO JOHNSON 6. JOHNSON KRAFT FOOD ING: PEABODY ENERGY CORP DIV 11/06/08 11/28/08 FIDELITY SPARTAN ALTRIA GROUP INC EXXON MBRIL CORP U S TREASURY MONEY MARKET CONTINUED ON PAGE New York, NY 10022 Fax (212) 838-4061 885 Third Avenue 2/12/2009 U.S.TREASURY BILL (212) 230-2424 800 334-1343 DESCRIPTION SECURITY POSITIONS MASSEY ENERGY CO WYNN RESORTS LTD HALLIBURTON CO DUE 02/19/2009 79222 17977 Ē BENJAMIN PAUL CHASALOW TRANSFEREE #1 12,000 3,460 5,000 400 7+825+000 1,400 569 488 38,699 26,450 29,500 7,825,000 3,900

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BERNARD L. MADOFF INVESTMENT SECURITIES LLC

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London MADF

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BERNARD L. MADOFF INVESTMENT SECURITIES LLC New York | London

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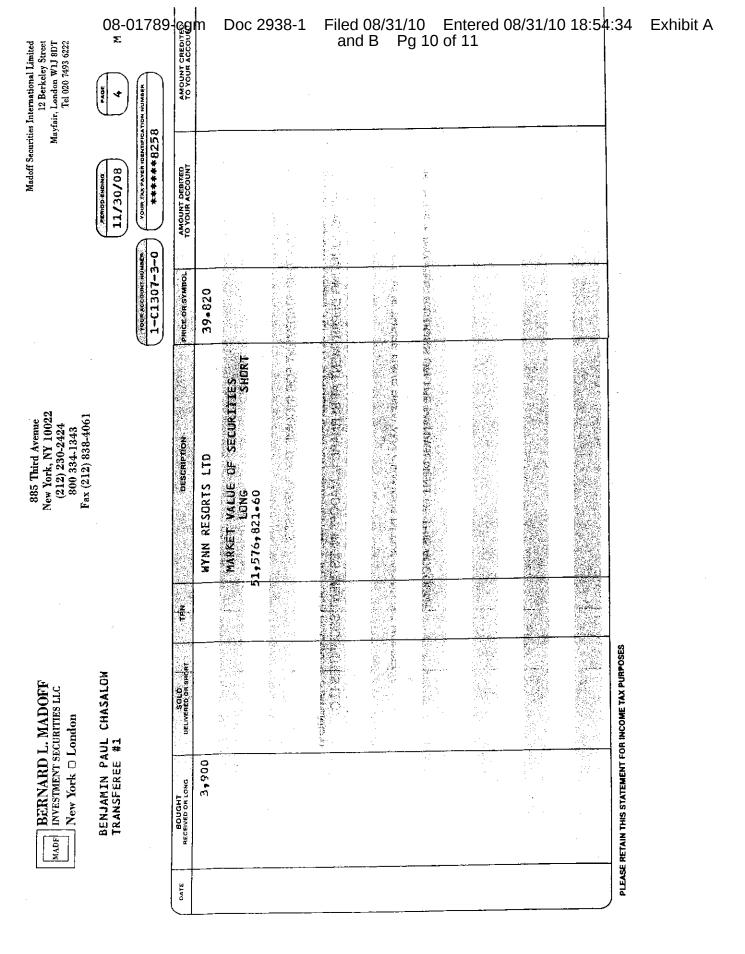
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Exhibit A



397,396 609,527,607 5.9609,527 PAGE TO YOUNT CRED TO YOUNT CR Filed 08/31/10 Entered 08/31/10 18:54:34 and B Pg 11 of 11 Exhibit A 12 Berkeley Street Mayfair, London W1J 8DT Tel 020 7493 6222 Attubated with Madoff Securities International Limited S IU \*\*\*\*\*\*8258 AMOUNT DEBITED TO YOUR ACCOUNT YOUR TAX PAYER 11/30/08 1-01307-3-0 PRICE OR SYMBOL ではいるというないのはないは の 1000 mm 10 DIVIDENDS GRUSS PROCEEDS FROM SALES YEAR-TO-DATE SUMMARY New York, NY 10022 800 334-1343 Fax (212) 838-4061 885 Third Avenue (212) 230-2424 DESCRIPTION N. PLEASE RETAIN THIS STATEMENT FOR INCOME TAX PURPOSES BENJAMIN PAUL CHASALDW TRANSFEREE #1 BERNARD L. MADOFF INVESTMENT SECURITIES LLC New York | London BOUGHT RECEIVED OR LONG MADF DATE